

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

S.J. AMOROSO CONSTRUCTION
CO., INC.,

Plaintiff,

No. C 09-4197 PJH

v.

ORDER

LIBERTY SURPLUS INSURANCE
CORPORATION,

Defendant.

The court is in receipt of the chambers copies of papers filed by defendant Liberty Surplus Insurance Corporation in support of its reply to the opposition to the motion to dismiss. The Declaration of Adam Faulkoff and the Declaration of Jay A. Christofferson in support of the reply are not in usable format.

A document is in usable format if it is usable for the purpose for which it is submitted to the court. The Faulkoff and Christofferson Declarations include exhibits that are not tabbed. The court is unable to locate exhibits if they are not tabbed. The court will consider the contents of the Faulkoff and Christofferson Declarations only if usable copies are submitted by May 28, 2010.

The court notes that this is the second time within the space of a few weeks that it has been necessary to order counsel for defendant Liberty Surplus Insurance Corporation to provide copies of documents in usable format. The court anticipates that it will not be necessary to do this on a third occasion.

IT IS SO ORDERED.

Dated: May 27, 2010



PHYLLIS J. HAMILTON
United States District Judge